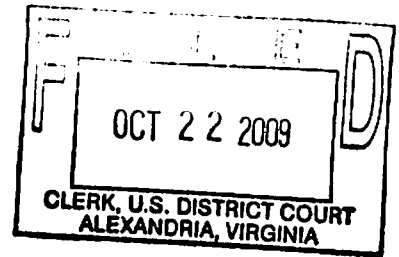


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division



NETSCAPE COMMUNICATIONS CORP., )  
Plaintiff, )

v. )

VALUECLICK, INC., et al., )  
Defendants. )

No. 1:09cv225

**ORDER**

The matter comes before the Court for construction of disputed terms or elements of the claims found in U.S. Patent No. 5,774,670 ("the '670 patent") pursuant to *Markman v. Westview Instruments*, 517 U.S. 370 (1996). The matter has been fully briefed and argued by the parties. For the reasons stated in an accompanying Memorandum Opinion dated October 22, 2009, the following disputed terms, set in boldface type below, found in claims 1, 9, 10, and 14 of the '670 patent are construed, as follows:

- "http," as used in claims 1, 9, and 10: "HyperText Transfer Protocol, a stateless communications protocol, which allows Web clients and Web servers to communicate."
- "server," as used in claim 14: "computer that provides data."
- "http server," as used in claims 1, 9, and 10: "a computer that provides data using HyperText Transfer Protocol."
- "http client," as used in claims 1, 9, and 10: "a computer that requests data using HyperText Transfer Protocol."
- "state object," as used in claims 1, 9, 10, and 14: "data having a predetermined structure that specifies state information."
- "state information" as used in claims 1, 9, 10, and 14: "information, such as a

cookie, that specifies an identity, a characteristic, or a condition of a client and/or a server.”

- “**file**,” as used in claims 1, 9, 10, and 14: “electronically stored or transmitted information or data.”
- “**computer readable medium**,” as used in claims 9, 10, and 14: “a storage device.”
- “**executable program instructions**,” as used in claims 9, 10, and 14: “a computer program directing a client or server to perform certain operations.”
- “**storing**,” as used in claims 1, 9, and 14: “placing the state object in memory or a storage device.”
- “**said http server**,” as used in claims 1, 9, 10, and 14: “the same http server that received the request from the http client.”
- The steps of claim 1 should be construed, as follows: (i) request for a file by the http client; (ii) transfer of the file from the http server to the http client; and (iii) transfer of the state object from the http server to the http client; and (iv) storage of the state object by the http client.

Alexandria, VA  
October 22, 2009

  
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**T. S. Ellis, III**  
**United States District Judge**